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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/037,415	01/04/2002	David Baltimore	75723-ZB/JPW/GJG	7747
23432 7590 03/21/2008 COOPER & DUNHAM, LLP 1185 AVENUE OF THE AMERICAS NEW YORK, NY 10036				
EXAMINER				
GUZO, DAVID				
ART UNIT		PAPER NUMBER		
1636				
MAIL DATE		DELIVERY MODE		
03/21/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10037415	1/4/2002	BALTIMORE ET AL.	75723-ZB/JPW/GJG

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1185 AVENUE OF THE AMERICAS
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EXAMINER

David Guzo

ART UNIT	PAPER
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Commissioner for Patents

SEE ATTACHMENT

Attachment

The reply filed on 12/7/07 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicants have not addressed, in any fashion, the obviousness type double patenting rejection of pending claim 89 over the claims in the 6,410,516 patent. Since this rejection is **not a provisional rejection**, applicants cannot defer a response to this rejection. A complete response can include a traverse of the rejection, cancellation of the rejected claim(s), a statement that applicants will file a Terminal Disclaimer upon indication of allowable subject matter, etc. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Guzo, Ph.D., whose telephone number is (571) 272-0767. The examiner can normally be reached on Monday-Thursday from 8:00 AM to 5:30 PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Woitach, Ph.D., can be reached on (571) 272-0739. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1636

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

March 16, 2008

/David Guzo/
Primary Examiner
Art Unit 1636